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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION
14

15 UNITED STATES OF AMERICA,)
16 Plaintiff,)
17 v.)
18 TONY J. DANILOO,)
19 Defendant.)
20 _____)

No. 3-06-70408 MEJ

[PROPOSED] ORDER EXTENDING TIME
FOR PRELIMINARY EXAMINATION

21
22 This matter has been set for preliminary hearing (or arraignment) on August 16, 2006.
23 The parties hereby agree and stipulate that they are continuing to negotiate a disposition;
24 moreover, counsel for the United States is unavailable on August 16, 2006. To allow
25 negotiations to continue, as well as to ensure the availability of government counsel, the parties
26 jointly request that the preliminary hearing be continued from August 16, 2006, to August 23,
27 2006.
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The parties further stipulate and agree that the defendant has previously, in open court, made a knowing and voluntary waiver of his rights to a preliminary hearing within ten days of his initial appearance and to an indictment or information within thirty days of his arrest. The parties jointly request the Court to extend the ten-day time limit for preliminary examination under Federal Rule of Criminal Procedure 5, and the thirty-day time limit for information or indictment under 18 U.S.C. § 3161(b), from August 16, 2006, to August 23, 2006.

Respectfully submitted,

KEVIN V. RYAN
United States Attorney

Date: August 10, 2006

/S/ Michael L. Wang
MICHAEL LI-MING WANG
Assistant United States Attorney

Date: August 11, 2006

Deborah Levine
DEBORAH LEVINE
Counsel for Defendant Tony J. Daniloo

[PROPOSED] ORDER

Upon stipulation of the parties, and good cause appearing, IT IS ORDERED that this matter be continued from August 16, 2006, to August 23, 2006. IT IS FURTHER ORDERED, based upon the stipulation of the parties and the Court's previous findings in open court, that the ten-day time limit for preliminary examination under Federal Rule of Criminal Procedure 5, and the thirty-day time limit for information or indictment under 18 U.S.C. § 3161(b), be extended from August 16, 2006, to August 23, 2006. The Court specifically finds that the ends of justice served by granting the requested continuance outweigh the best interest of the public and the defendant in a speedy trial and in the prompt disposition of criminal cases.

DATED: August 14, 2006

HON. J. Spero
United States Magistrate Judge

